

**ADOT CONFORMITY CONSULTATION PROCESSES FOR THE
NONATTAINMENT AREAS OUTSIDE OF A METROPOLITAN PLANNING
ORGANIZATION AS REQUIRED UNDER ARIZONA CONFORMITY RULE
R18-2-1405**

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GUIDE TO THE ADOT CONFORMITY CONSULTATION PROCESSES

The purpose of this guide is to provide an overview of the material developed to document ADOT conformity consultation processes for PM-10 nonattainment areas outside of a Metropolitan Planning Organization. The ADOT Conformity Consultation processes report was developed in response to Section R18-2-1405 of the Arizona conformity rules. It represents a companion document to the **ADOT Transportation Conformity Guidance and Procedures**, which have been completed.

The latter report was prepared to respond to specific requirements in the Arizona conformity rules relating to guidance and procedures for use by public agencies in identifying regionally significant transportation projects and ensuring that they meet applicable conformity requirements. The **ADOT Conformity Consultation Processes** on the other hand, focuses on the processes that ADOT will follow to meet the consultation requirements placed on ADOT by the Arizona conformity rules.

The ADOT conformity consultation processes are based, to the extent possible, upon existing processes within ADOT.

FEDERAL AIR QUALITY CONFORMITY REQUIREMENTS

Conformity requirements were strengthened by Congress in 1990, through amendments to the federal Clean Air Act. The concept of conformity is that air quality plans are based upon assumptions about the future transportation facilities and programs which affect motor vehicle use. Any significant change to the transportation system assumed in the air quality plans has the potential to affect the air quality outcome.

Prior to taking action on a transportation plan, program, or project, government agencies are required to ensure that the action conforms with the air quality plans. The federal regulations on conformity place specific emphasis on the importance of interagency consultation as part of the conformity process.

PURPOSE OF ADOT CONFORMITY CONSULTATION PROCESSES DOCUMENT

The EPA issued federal regulations on transportation conformity with detailed requirements regarding interagency and public consultation. The EPA regulations gave states one year to adopt and submit their own conformity criteria, in which consultation requirements could be tailored to local needs. Arizona conformity rules became effective in June 1995.

The Arizona rules require that the Arizona Department of Transportation (ADOT) initiate specific consultation processes that will be followed in fulfilling the required roles for meeting conformity requirements. The purpose of the ADOT Conformity Consultation Processes document is to describe the processes that ADOT will follow to meet the consultation requirements that are placed on ADOT by the Arizona conformity rules for PM-10 nonattainment areas outside of the Metropolitan Planning Organizations (MPOs). ADOT will initiate most of the consultation processes through the Council of Governments (COGs) for the nonattainment areas outside of the MPOs

ORGANIZATION OF THE ADOT CONFORMITY CONSULTATION PROCESSES DOCUMENT

The ADOT Conformity Consultation Processes begins with an introduction which provides background information on conformity legislation, consultation requirements, and the entities in the consultation process. The document is then segmented according to the sections of the Arizona conformity rules that place specific consultation requirements on ADOT.

The ADOT processes which are described are numbered to correspond directly to specific requirements of the Arizona conformity rules. For example, the designation for the ADOT process corresponding to requirement R18-2-1405(C)(4) is ADOT process C-4. Processes are provided in response to the specific requirements of Arizona conformity rule subsections C, M, N, O, and R. (See Table 1 for a complete listing of process topics.) To provide additional cross-referencing of process topics, major consultation subject areas are discussed below.

ADOT CONSULTATION ON THE STATE TRANSPORTATION PLAN AND THE STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (See ADOT Process C-4).

ADOT is responsible for leading consultation on the State Transportation Plan and the State Transportation Improvement Program (STIP) which contains all of the projects in the various Transportation Improvement Programs (TIP's). There are existing processes in ADOT that address the consultation requirements for the State Plan and the STIP. The State Plan Development Process is shown in Figure 6, on page vii. A generalized flow chart depicting the major elements of the STIP consultation process is depicted in Figure 7, on page viii.

ADOT provides information describing the decision process to the affected agencies and interested members of the public, provides access to all information needed for meaningful input, and early and continuing input from those agencies. Policy level contact is accommodated throughout the process. Information is transmitted to the affected agencies through mailings, supplemented with other direct correspondence as necessary.

Workshops and hearings are advertised prominently in local newspapers along with information where the documents can be reviewed. After the public hearing, a response to public comments is prepared following a review by the technical management.

ADOT CONSULTATION ON PROJECT-LEVEL CONFORMITY (See ADOT Process C-6, M-2, M-3, M-9 and R-3)

The determination of conformity for individual federal projects is the responsibility of the implementing agency. Consultation issues required to be addressed by implementing agencies at the project level for **federal projects** are described in Arizona Conformity Rule R18-2-1405(P)(2).

In addition, under Arizona conformity rules, the implementing agency is required to determine whether or not a project is regionally significant, has a significant change in scope, or may be relieved of mitigation or control measures.

For regionally significant **nonfederal** projects, the implementing agency is also responsible for meeting applicable conformity and emissions analysis criteria required under federal regulations. However, neither a subsequent conformity determination or consultation process is required of the implementing agency. ADOT will assist agencies in project-level conformity analyses for both federal and nonfederal projects by performing regional emissions analyses as appropriate.

To consult on these issues, the ADOT process, through the COGs, makes associated material available for public review and provides an opportunity for informal question and answers.

ADOT CONSULTATION ON TECHNICAL ISSUES (See ADOT Process M-1, M-5, M-7 and N-2)

ADOT, through the COGs, is responsible for leading consultation on several technical issues relating primarily to evaluating and choosing a model (models) and associated methods and assumptions to be used in regional emissions analysis and evaluating possible adverse emission impacts of exempt projects.

For consultation on these issues, the ADOT process makes material associated with these issues available for public review and provides an opportunity for informal questions and answers.

ADOT CONSULTATION ON PLANNING AND PROGRAMMING ISSUES (See ADOT Process M-4, M-6, M-8, N-1, N-4, and O-1)

ADOT, through the COGs, is responsible for initiating consultation on conformity issues which address regional transportation planning and programming considerations. Specific subject areas include identifying regionally significant transportation facilities and analyzing exempt projects.

For these issues, the ADOT consultation process again makes material associated with these issues available for public review and provides an opportunity for informal questions and answers.

In addition, conformity rules require consultation on the disclosure of regionally significant projects. This consultation is, accomplished in accordance with the time frames established in the ADOT Transportation Conformity Guidance and Procedures. Local agencies are required to make the disclosures to ADOT in sufficient detail to allow ADOT to perform a regional emissions analysis.

ADOT CONSULTATION ON TRANSPORTATION CONFORMITY GUIDANCE AND PROCEDURES (See ADOT Process O-2 and R-2)

ADOT Transportation Conformity Guidance, and Procedures were prepared to respond to requirements in the Arizona Conformity rules relating to guidance and procedures for use by public agencies in identifying regionally significant transportation projects and ensuring that they meet applicable conformity requirements. In addition, guidance was provided and a map was developed regarding regionally significant transportation projects. ADOT, through the COGs, is responsible for periodic update of the map and procedures.

As previously indicated, the ADOT process makes material associated with these issues available for public review and provides an opportunity for informal questions and answers.

UPDATING ADOT CONFORMITY CONSULTATION PROCESSES

ADOT consultation processes may be updated as required. It is not intended that the ADOT consultation processes be considered part of the Arizona Air Quality State Implementation Plan, which would entail State approval and submittal to the U.S. Environmental Protection Agency. This approach will allow enhanced timeliness and flexibility at the regional level in modifying the ADOT consultation process periodically in the event that the need for change arises.

TABLE 1

ADOT CONFORMITY CONSULTATION PROCESSES

C-4	The statewide transportation plan and STIP.
C-6	All transportation conformity determinations.
M-1	Choosing models and assumptions for microscale and regional analysis.
M-2	Determining whether a transportation project may proceed without previously committed mitigation or control measures.
M-3	Determining whether or not a transportation project that is outside of a TIP is included in the regional emissions analysis
M-4	Determining which minor arterials serve regional transportation needs and which concept design or scope changes are considered significant.
M-5	Evaluating whether exempt projects should be treated as non-exempt.
M-6	Determining whether past obstacles to TCMs are removed and TCMs are given funding priority.
M-7	Determining whether PM-10 hotspot analysis is required.
M-8	Adding and deleting exempt projects from the STIP and TIP.
M-9	Conformity determinations for transportation projects which are federally funded or otherwise require federal approval.
N-1	Events which trigger new conformity determinations.
N-2	Consulting on emissions analysis for transportation activities which cross the MPOs or nonattainment areas.
N-3	Cooperative planning and analysis for purposes of determining conformity of all projects outside the metropolitan area but within the nonattainment or maintenance area.
N-4	Consulting on the design, schedule, and funding of research and data collection efforts and regional transportation model development.
O-1	Disclosure of possible regionally significant transportation projects by agencies receiving federal highway or transit funds.
O-2	Development of procedures regarding required information and timeframes for approval of nonfederal projects by agencies which are recipients of federal highway or transit funds.
R-2	Development of map and guidance regarding regionally significant transportation projects.
R-3	Proposed list of transportation projects to be considered regionally significant.

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AGENCY ABBREVIATIONS

ADOTArizona Department of Transportation
ADEQArizona Department of Environmental Quality
COGsCouncil of Governments
EPAU.S. Environmental Protection Agency
FHWAFederal Highway Administration
FTAFederal Transit Administration
MAGMaricopa Association of Government
RPTARegional Public Transportation Authority

OTHER KEY ACRONYMS

CFRU.S. Code of Federal Regulations
COCarbon Monoxide -
PM -10Particulate Matter (less than 10 microns in size)
STIPState Transportation Improvement Program
TCMTransportation Control Measure
TIPTransportation Improvement Program

INTRODUCTION

This document describes specific processes for interagency and public consultation on air quality and transportation conformity issues where the Arizona Department of Transportation (ADOT) is the lead agency in all PM-10 nonattainment areas outside of the Metropolitan Planning Organizations. These procedures have been prepared by ADOT in response to the requirements of Arizona conformity regulations which became effective in June 1995.

Arizona Conformity Rule R18-2-1405 identifies numerous transportation/air quality planning products and technical issues for which ADOT is required to develop consultation processes for all nonattainment areas outside the boundaries of an MPO. The consultation processes are required to be developed in consultation with transportation agencies, air quality agencies, and the public. Many of the consultation requirements in the Arizona Conformity Rules are also required under federal regulations.

Conformity requirements were mandated by Congress in 1990, through amendments to the federal Clean Air Act. The concept of conformity is that air quality plans are based upon assumptions about the future transportation facilities and programs which affect motor vehicle use. Any significant change to the transportation system assumed in the air quality plans has the potential to affect the air quality outcome. Accordingly, prior to taking action on a transportation plan, program, or project, government agencies are required to ensure that the action conforms with the air quality plans.

EPA CONFORMITY REGULATIONS

The Clean Air Act Amendments of 1990 placed specific emphasis on the importance of interagency consultation in making Conformity determinations. In November 1993, the EPA issued federal regulations on transportation conformity, with detailed requirements regarding interagency and public consultation. The EPA regulations gave States one year to adopt and submit their own conformity criteria, in which consultation requirements could be tailored to local needs.

ARIZONA CONFORMITY REQUIREMENTS

The Arizona conformity rules, which became effective in June 1995, closely followed the federal regulations. The Arizona rules require that ADOT, in areas not covered by an MPO, develop specific consultation processes addressing conformity determinations and various related technical decisions. Section R18-2-1405 of the Arizona rules identifies which agency is responsible for leading each consultation process, which parties are to be consulted, and what minimum steps and features are to be included in specific processes.

Consultation is defined in the Arizona conformity rules as follows: "Consultation' means that one party confers with another identified party, provides access to all appropriate information to that party needed for meaningful input, and, prior to taking any action, considers the views of that party and responds in accordance with the procedures established in R18-2-1405."

An outline of rule R18-2-1405 is provided in Figure 1. The lead agency for developing the consultation processes are identified in each section.

ADOT CONFORMITY CONSULTATION PROCESSES

The ADOT conformity consultation processes described in the following pages were developed in response to Section R18-2-1405 of the Arizona conformity rules. To the extent possible, these processes have been based upon existing processes previously adopted by ADOT. Prior to the development of the Arizona conformity rules, ADOT was a partner and participant in the Maricopa Association of Governments, Pima Association of Governments, and Yuma Metropolitan Planning Organization air quality initiatives and in statewide project level analysis. Also, responding to the requirements of the federal Intermodal Surface Transportation Efficiency Act (ISTEA), ADOT developed a formal public participation involvement process.

It is not intended that the ADOT consultation processes be considered part of the Arizona State Implementation Plan (e.g., SIP), which would entail State approval and submittal to the U. S. Environmental Protection Agency. This approach will allow enhanced timeliness and flexibility at the regional level in modifying the ADOT consultation processes in the event that the need for change arises.

The ADOT processes which are described in the following pages are numbered to correspond directly to specific requirements of the Arizona conformity rules. For example, the designation for the ADOT process corresponding to requirement R18-2-1405(C)(1) is ADOT process C-1. Processes are provided in response to the specific requirements of Arizona conformity rule subsections C, M, N, O, and R.

Generally, all of the ADOT conformity procedures involve consultation with the entities which are listed in Figure 2.

Figure 3 identifies that a designated organizational representative(s) from each entity should be appointed to participate in the consultation process as required.

Figure 4 is a generalized flow chart applicable to a few technical issues.

Figure 5 is the consultation flow chart applicable to most conformity technical and programming issues.

Figure 6 is a Plan Development Process Chart depicting the major elements of the consultation and public participation process for the State Transportation Plan.

Figure 7 is a generalized flow chart depicting the major elements of the consultation and public participation process for the Statewide Transportation Improvement Program.

Figure 8 is a generalized flow chart depicting the major elements of the consultation process on transportation conformity determinations.

Figure 1. Outline of Arizona Conformity Rule R18-2-1405

Section A. Establishes the general requirement that consultation shall be undertaken by transportation and air quality agencies in preparing for and making conformity determinations and in developing air quality implementation plans.

Section B. Lists five required elements for the consultation processes which are required in Sections M and N.

Section C.* Lists major transportation actions for which conformity consultation processes are required.

Sections D through G. Identify lead agencies responsible for consultation on the major transportation actions listed in Section C.

Section H. Lists six required elements for. consultation processes, applicable to the agencies identified in Sections D through G.

Sections I and J. Identify lead agency responsibilities of the U.S. Department of Transportation and the U.S. Environmental Protection Agency.

Section K. Establishes requirements regarding notification and distribution of final documents after conformity findings are made.

Section L. Describes a public notice requirement for conformity consultation.

Section M.* Specifies nine consultation processes which require consultation with the U.S. Environmental Protection Agency and U.S. Department of Transportation, in addition to State and local agencies and the public.

Section N.* Specifies five consultation processes which require consultation with State and local agencies and the public, but not with federal agencies.

Section O.* Specifies two consultation processes involving specific responsibilities for recipients of federal highway or transit funds, focusing on regionally significant transportation projects.

Section P. Identifies specific requirements for public involvement processes. Subsection 1 applies to the Arizona Department of Transportation, or the Metropolitan Planning Organization. Subsection 2 applies to local transportation agencies and regional transportation agencies (e.g. Regional Public Transportation Authority), regarding conformity determinations.

Section Q. Addresses resolution of conflicts among state agencies, or between state agencies and a Metropolitan Planning Organization.

Section R.* Identifies requirements for consultation guidance and. procedures regarding regionally significant transportation projects.

Section S. Indicates the requirements which apply to the delegation of consultation responsibilities from one agency to another entity pursuant to applicable state law.

Section T. Identifies the effective dates for respective provisions of Section 1405.

*Indicates consultation processes required of the Arizona Department of Transportation (e.g. ADOT) through each of the Council of Governments (e.g. COGs).

Figure 2. List of Entities Included in the ADOT Conformity Consultation Processes

Air Quality Agencies
State – Arizona Department of Environmental Quality
Local – County Air Pollution Control Agency where one exists
Transportation agencies:
Federal – Federal Highway Administration, Arizona Division
Local – Council of Governments (COGs)
Counties
cities and towns
a transit authority where one exists
The public

Figure 3. Agency Representatives for Regular Consultation

Agency	Contact Person
FHWA	Division Planning and Research Engineer
ADEQ	Air Quality Planner
ADOT	Senior Transportation Planner/ Air Quality Coordinator
COGs	COG Planner
CITY	Public Works Director/ Air Pollution Control Representative
COUNTY	Supervisor or Public Works Director/ Air Pollution Control Representative

Figure 4. FLOW CHART FOR CONSULTATION ON SELECTED TECHNICAL ISSUES

(Applies to the following ADOT Conformity Consultation Processes: M-8: Exempt Projects, M-9: Project-Level Determinations, N-2: Cross Boundary Projects)

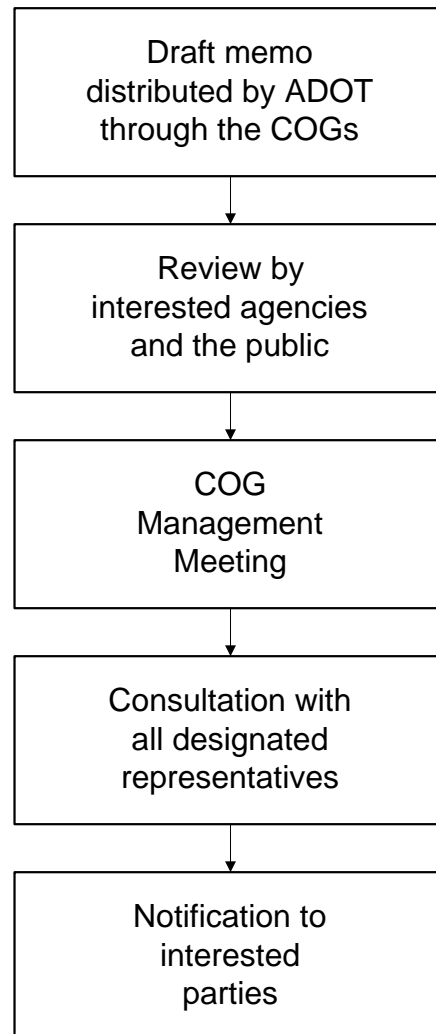
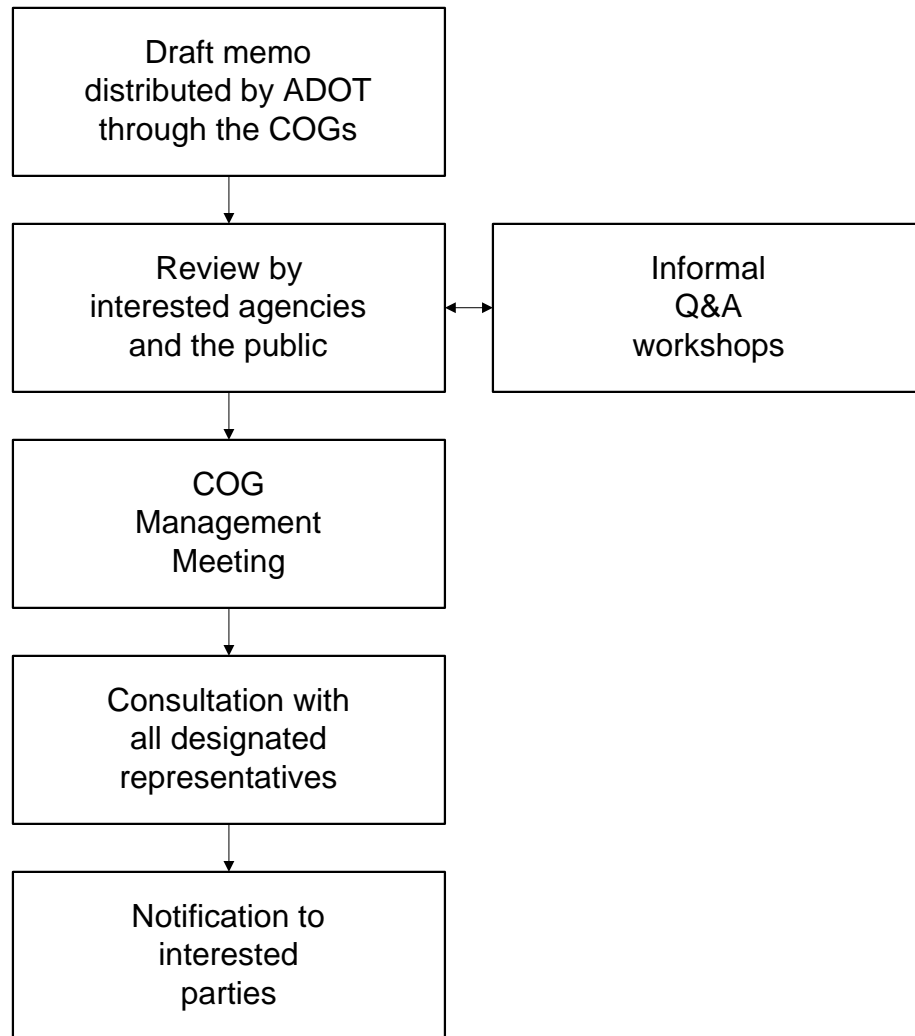


Figure 5. FLOW CHART FOR CONSULTATION ON TECHNICAL AND PLANNING ISSUES

(Applies to the following ADOT Conformity Consultation Processes: M-1, M-2, M-3, M-4, M-5, M-6, M-7, N- 1, N-4, O-1, O-2, R-2, and R-3)



STATE TRANSPORTATION PLAN

MISSION STATEMENT: To develop consensual planning and programming which will be the guiding vision of Arizona's transportation systems for the next 20 years. These systems will be planned to fully utilize state-of-the-art technologies and to position Arizona as a key partner in North America and Pacific Rim growth.

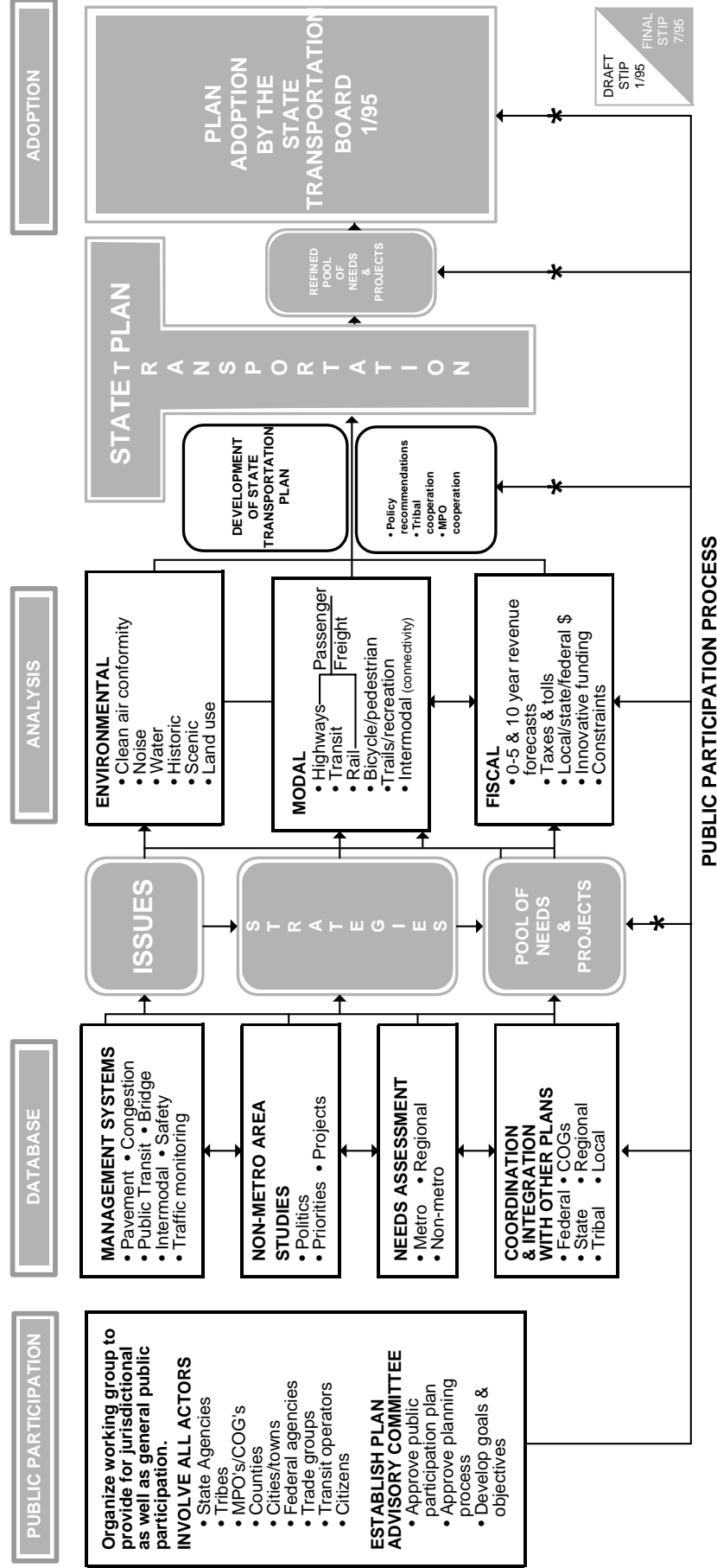


FIGURE 6.
PLAN DEVELOPMENT PROCESS

Figure 7. FLOW CHART FOR CONSULTATION ON THE STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

(Applies to ADOT Process C-4)

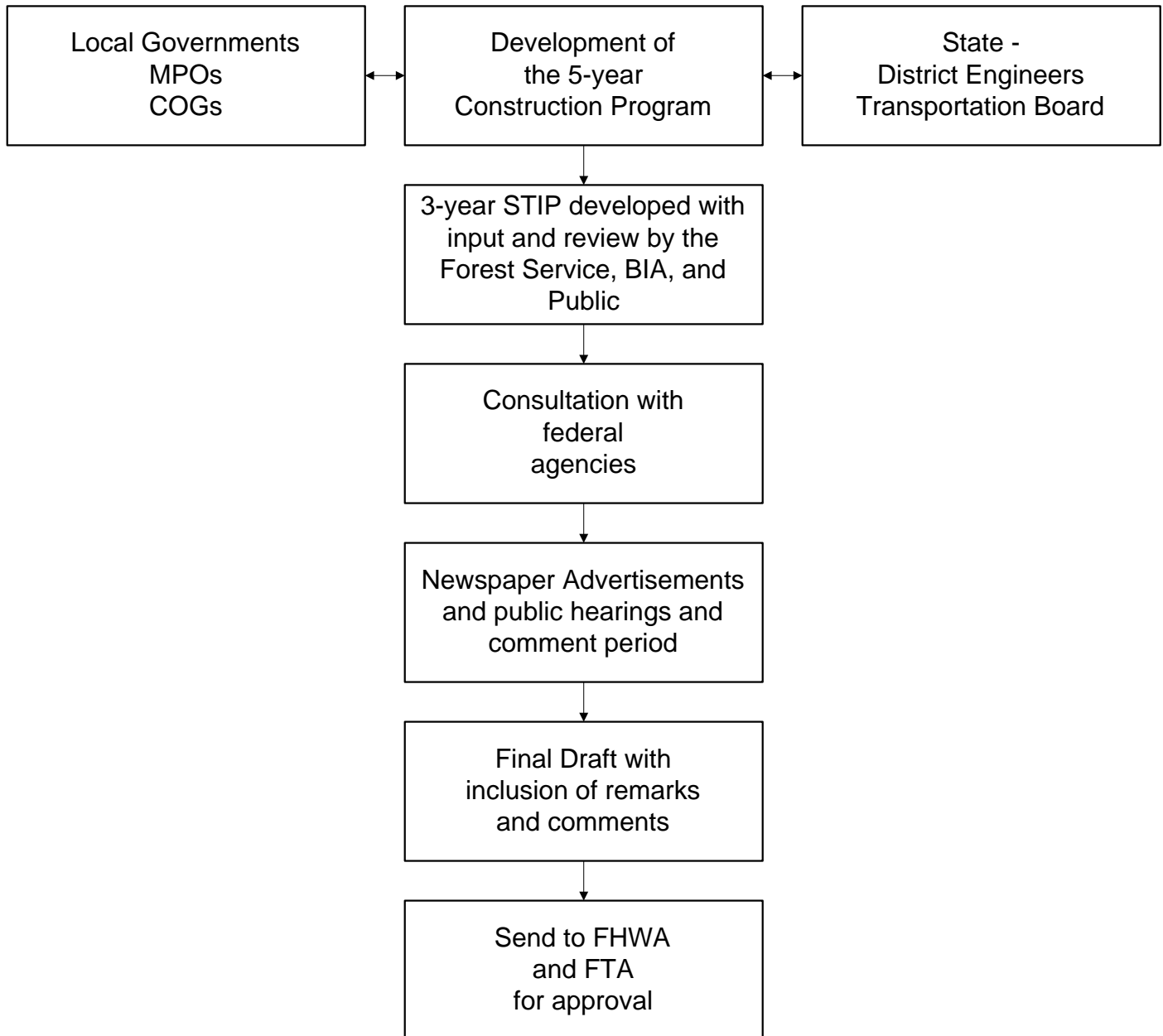
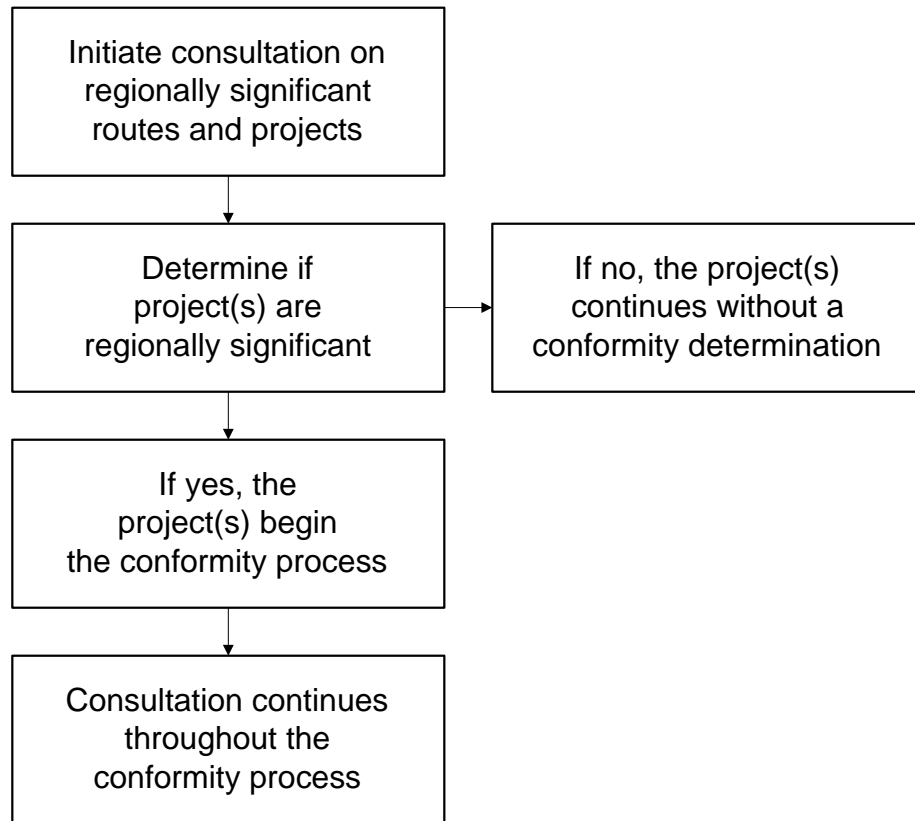


Figure 8. FLOW CHART FOR CONSULTATION ON TRANSPORTATION CONFORMITY DETERMINATIONS

(Applies to ADOT Process C-6)



I. ADOT CONSULTATION PROCESSES REQUIRED UNDER R18-2-1405(C)

This section describes two ADOT consultation processes which are required under Arizona Conformity Rule R18-2-1405(C). The Arizona Rule specifies that consultation is required on the development of the following actions:

1. The implementation plan, including the emission budget and list of TCMs in the applicable implementation plan.
2. The unified planning work program under 23 CFR § 450.314.
3. The transportation plan and TIP.
4. The statewide transportation plan and STIP.
5. Any revisions to the preceding documents.
6. All transportation conformity determinations.

In response to these requirements, ADOT has developed the process for C-4 and C-6. No separate ADOT process (e.g. #5) has been provided to address the fifth item in the above list ("Any revisions to the preceding documents"); instead revisions are addressed together with development of the affected document.

The Arizona conformity rules indicates that, "MAG shall be the lead agency responsible for preparing the final document or decision and for assuring the adequacy of the consultation process with respect to the development of the documents in C-1, C-2, C-3, and also C-6 for their purposes.

Arizona Conformity Rule R18-2-1405(H) identifies certain elements required to be included in the consultation processes. Each ADOT consultation process addressing the C-series requirement is structured to address these elements.

ADOT PROCESS C-4. STATEWIDE TRANSPORTATION PLAN AND THE STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

This process is provided in response to the Arizona Conformity Rule R18-2-1405(C)(4).

ROLES AND RESPONSIBILITIES

Federal transportation planning regulations require States (e.g., ADOT) to prepare a Statewide Transportation Plan for all areas of the State. This plan is to be intermodal and statewide in scope in order to facilitate the efficient movement of people and goods. In addition, ADOT is required to prepare a Statewide Transportation Improvement Program (e.g. STIP), identifying proposed transportation projects from all of the Transportation Improvement Programs (e.g. TIPs).

ADOT is responsible for initiating and assuring the adequacy of the air quality conformity consultation process with respect to the development of the State Transportation Plan and STIP and any subsequent revisions to the documents. ADOT provides for the participation of the transportation and air quality agencies, as well as the public.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level of consultation includes representatives from all of the entities shown in the State Transportation Plan Development Process in Figure 6.

FREQUENCY

The Statewide Transportation Plan shall be reasonably consistent in time horizon among its elements, but cover a period of at least 20 years. The plan shall be continually evaluated and periodically updated as appropriate using the procedures in CFR 23 § 450.214 for development and establishment of the plan.

The Statewide Transportation Improvement Program shall cover a period of not less than 3 years, but may at State discretion cover a longer period. If the STIP covers more than 3 years, the projects in the additional years will be considered by the FHWA and the FTA only as informational.

PROCESS

The State Transportation Plan is a policy plan that addresses several issues including socioeconomic and environmental effects that were significant to the development of the plan. The plan does not address project-level conformity. A detailed Plan Development Process Chart is shown in Figure 6, page vii.

The STIP will contain only projects consistent with the statewide plan developed under CFR 23 §450.214. In nonattainment and maintenance areas, the STIP will contain only transportation projects that have an air quality project conformity study prior to implementation. A generalized flow chart depicting the major elements of the STIP process is depicted in Figure 7, page viii.

ADOT PROCESS C-6 ADOT TRANSPORTATION CONFORMITY DETERMINATIONS

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(C)(6), which corresponds to Federal conformity regulation 40 CFR 51.402(b)(1).

ROLES AND RESPONSIBILITIES

In accordance with the Clean Air Act Amendments of 1990 and the Arizona Transportation Conformity Rule, ADOT, when required or as requested, will prepare and document conformity findings for regionally significant projects in rural nonattainment areas. For ADOT, the conformity determination would include: (1) documentation of the modeling methods and assumptions; (2) documentation of socioeconomic projections, vehicle activity levels, and transportation control measures; and (3) regional emissions analysis and findings for PM- IO.

For the purposes of consultation ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public.

ORGANIZATION LEVEL OF REGULAR CONSULTATION

The organization level for regular consultation is detailed in Figure 3.

FREQUENCY

This consultation process is conducted as needed.

PROCESS

The consultation process for Conformity determinations for transportation projects which are federally funded or otherwise require federal approval is addressed as an individual process in Section 11, ADOT Consultation Processes Required Under R18-2-1405(M).

The Arizona rules have established new requirements for recipients of federal highway or transit funds, with respect to approval of nonfederal projects. Arizona conformity rule R18-2-1429(B) requires a determination be made, through the consultation process, of whether the transportation project is regionally significant. This process is initiated by the recipient of federal funds designated under Title 23 U.S.C. prior to adopting or approving a transportation project, regardless of funding source.

After a nonfederal transportation project is adopted or approved as regionally significant and found to be in conformity, neither a subsequent conformity determination nor a consultation process is required of the implementing agency. A generalized flow chart depicting the beginning consultation process for determining regionally significant routes for conformity determinations is shown in Figure 8, on page ix. The process is also referred to in ADOT Process M-3, M-4, and R-3.

II. ADOT-CONSULTATION PROCESSES REQUIRED UNDER R18-2-1405(M)

This section describes 9 ADOT consultation processes which are required under Arizona Conformity Rule R18-2-1405(M). The consultation processes address conformity related technical issues, largely focused on conformity determinations on individual transportation projects. The list of entities required to be consulted under subsection M includes state and local agencies, the U.S. Environmental Protection Agency, and the U.S. Department of Transportation (USDOT).

ADOT has developed the following consultation processes in response to the nine requirements of R18-2- 1405(M):

- M-1. Choosing models and assumptions for microscale and regional emissions analyses.
- M-2. Determining whether a transportation project may proceed without previously committed mitigation or control measures.
- M-3. Determining whether a project that is outside of a TIP is included in the regional emissions analysis.
- M-4. Determining, which minor arterials and other transportation projects should be considered "regionally significant" for the purposes of regional emissions analysis.
- M-5. Evaluating whether exempt projects should be treated as non-exempt in cases where potential adverse emissions impacts may exist.
- M-6. Determining whether past obstacles to TCMs are removed and TCMs are given funding priority.
- M-7. Determining whether PM- IO hotspot analysis is required.
- M-8. Adding and deleting exempt projects from the state transportation plan and the state TIP.
- M-9. Conformity determinations for transportation projects which are federally funded or otherwise require federal approval.

Arizona Conformity Rule R 18-2-1405(B), requires that consultation processes in the M-series address certain elements, which may be conducted at separate times or in combination. To address these elements the consultation process for M-series items will proceed in accordance with a standard process which is described below.

STANDARD ADOT CONSULTATION PROCESS FOR CONFORMITY TECHNICAL AND PLANNING ISSUES

For each consultation issue in the PM-10 nonattainment areas outside of the Metropolitan Planning Organizations, ADOT, through the COGs, will contact all of the consulted parties (see Figure 2). A memorandum will then be prepared for each consultation issue describing the relevant requirements and the approaches or procedures to be followed. This material will be made available for public review. In addition, to provide an informal opportunity for questions and answers, the material is discussed at either a public workshop or a meeting of the appropriate COG committee or activity. Inclusion of the item on the COG Technical Advisory Committee agenda would provide additional opportunity for comment. The consultation process ends when a finalized version of the memorandum is agreed upon by all of the consulted parties.

For these and other air quality requirements addressed in this document ADOT representatives from the Intermodal Transportation Planning Group and Environmental Planning Services will coordinate activities through the COGs, for the purposes of consultation.

As part of the process a subsequent memorandum summarizing the comments received, response to comments and the final outcome of the process will be provided to all interested parties as identified through the consultation process. A generalized flow chart depicting the major elements of the standard ADOT and COG process is provided in Figure 5, on page vi.

ADOT PROCESS M-1 Choosing Models and Assumptions For Microscale and Regional Analysis

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(1), which corresponds to, Federal conformity regulation 40 CFR 51.402(c)(1)(i).

ROLES AND RESPONSIBILITIES

ADOT is required to initiate interagency consultation for evaluating and choosing a model (or models) and associated methods and assumptions to be used in microscale analysis and regional emissions analysis. These methods and assumptions are used by ADOT and other agencies when project-level conformity determinations are required.

ADOT, through each COG, provides for the participation of the transportation and air quality agencies, as well as the public, in the consultation process.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

Periodic as needed. From time to time, EPA approves new mobile source emission factors or other pertinent models for use in regional or microscale analysis. To allow for the completion of analyses already underway using a prior approved model, EPA typically establishes a grace period during which either the previous model or the newly approved model may be used.

PROCESS

Periodic consultation may be appropriate to evaluate the adequacy of currently used models and methods, and to update them as necessary. The current model being used by ADOT for PM-10 microscale analysis is PART 5 as required by EPA. All modeling is required to use the latest planning assumptions, in accordance with 40 CFR 51.412. The consultation process described on page 4 is then conducted. A generalized flow chart depicting the major elements of ADOT Process M-1 is provided in Figure 5, on page vi.

ADOT PROCESS M-2 Determining Whether a Transportation Project May Proceed Without Previously Committed Mitigation or Control Measures

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(2), which corresponds to federal conformity regulation 40 CFR 51.458(d).

ROLES AND RESPONSIBILITIES

For some transportation projects, mitigation or project-level control measures may have been identified as conditions for approval of environmental clearance in accordance with requirements of the National Environmental Protection Act (NEPA). If at a later date the project sponsor or ADOT believes the mitigation or control measure is no longer necessary, the project sponsor or operator may be relieved of its obligation to implement the mitigation or control measure. This would require a demonstration that allowing relief would not negate the conformity findings for the regional emissions analysis, in which the mitigation was assumed for modeling purposes. Consultation regarding such a demonstration is required, and under Arizona conformity rules, "shall be initiated by the responsible agency."

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

As needed.

PROCESS

The consultation process for relief from project-level mitigation requirements is initiated by notification from the project sponsor to ADOT that relief is being requested. The project sponsor is responsible for preparation of any project-level analyses, and any required regional emissions analyses are prepared by ADOT. When all necessary project-level and regional scale analyses is completed and documented by the implementing agency, ADOT prepares a written summary of the request for relief. This memorandum undergoes the consultation process as described on page 4. A generalized flow chart depicting the major elements of ADOT Process M-2 is provided in Figure 5, on page vi.

ADOT PROCESS M-3 Determining whether a Transportation Project Outside of a TIP is included in the regional analysis and whether the project's design and scope have changed significantly

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(3), which corresponds to federal conformity regulation 40 CFR 51.450(b).

Arizona Conformity Rule R18-2-1405(M)(3) requires consultation when "making a determination, as required under R18-2-1429(C)(2), whether the project is included in the regional emissions analysis supporting the currently conforming TIP even if the project is not included in the TIP, and whether the project's design concept and scope have changed significantly from those which were included in the regional emissions analysis, or in a manner which would significantly impact use of the facility."

ROLES AND RESPONSIBILITIES

The "determination" referred to in R18-2-1405(M)(3) is one of the alternative criteria available to meet federal conformity requirements for a nonfederal project which is considered regionally significant. The recipient of federal highway or transit funds with authority to approve the nonfederal, regionally significant project is responsible for assuring that conformity criteria are met.

In nonattainment areas where no MPO exists, ADOT, or the permitting agency shall initiate the consultation process for making a determination, as required by R18-2-1429(C)(2), whether a project that is outside of a TIP is included in the regional emissions analysis, and whether the project's design concept and scope have changed significantly from those which were included in the regional emissions analysis, or in a manner which would significantly impact use of the facility. A significant change would be one that alters any of the key attributes (project location, length, and number of striped through-lanes) used to model the project for conformity purposes.

If the recipient agency is unable to determine whether or not the project is included in the TIP or whether a scope change is significant, the matter is referred to ADOT for consultation. Arizona Conformity Rule R18-2-1405(M)(3) indicates that "the consultation process pursuant to this paragraph shall be initiated by ADOT." In this consultation process, ADOT, through each COG, provides for the participation of the transportation and air quality agencies, listed in Figure 2, and the public.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

Requests for ADOT consultation under process M-3 may be made at any time. Through the consultation process project level analysis will be conducted as needed for inclusion in the regional emissions analysis supporting the current State Implementation Plan for the nonattainment areas outside of an MPO.

PROCESS

After receiving a request for consultation from a recipient of federal highway or transit funds, ADOT prepares a draft assessment of whether or not the emissions impact of the proposed transportation project conforms to the purpose of the SIP. The consultation process described on Page 4 is then conducted. A generalized flow chart depicting the major elements of ADOT Process M-3 is provided in Figure 5 on page vi.

ADOT PROCESS M-4 Determining Which Minor Arterials and Other Transportation Projects Should be Considered "Regionally Significant" for the Purposes of Regional Emissions Analysis

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(4), which corresponds to Federal conformity regulation 40 CFR 51.402(c)(1)(ii).

In air quality nonattainment areas, a consultation process is required to determine which roadways functionally classified as "minor arterial" and other transportation projects should be considered to serve regional transportation needs. Improvements on such facilities may be considered "regionally significant," which makes them subject to transportation conformity requirements for the purposes of regional emissions analysis.

ROLES AND RESPONSIBILITIES

Under Arizona Conformity Rules, ADOT is responsible for initiating consultation on these issues. ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

Periodic as needed. Normally, ADOT will initiate and assure the adequacy of this process on an annual basis. In September 1995, as required under R18-2-1429(D), ADOT, through the consultation process, prepared a map of transportation facilities which serve regional transportation needs, together with detailed guidance and procedures applicable to nonfederal transportation projects. The September 1995 map, guidance and procedures may be updated periodically, as needed, under ADOT consultation process R-2.

PROCESS

For consultation purposes, ADOT, through the COGs, initiates the process to identify any changes which may be proposed for consideration. The consultation process described on page 4 is then conducted. A generalized flow chart depicting the major elements of ADOT process M-3 is provided in Figure 5, on page vi.

ADOT PROCESS M-5 Evaluating Whether Exempt Projects Should be Treated as Non-Exempt in Cases Where Adverse Emissions Impacts May Exist

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(5), which corresponds to Federal conformity regulation 40 CFR 51.402 (c)(1)(iii).

ROLES AND RESPONSIBILITIES

The Arizona Conformity Rules specify that ADOT shall initiate consultation for evaluating whether projects listed as exempt from conformity in the conformity regulation should be treated as non-exempt projects where potential adverse emission impacts may exist for any reason. In this consultation process, ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

Periodic as needed. Normally, ADOT, through the COGs, would initiate this consultation process for all mobile projects within a nonattainment area as they are identified.

PROCESS

For consultation purposes, ADOT, through the COGs, provides a listing of the types of facilities which are considered exempt from conformity requirements. The consultation process described on page 4 is then conducted. A generalized flow chart depicting the major elements of ADOT Process M-5 is provided in Figure 5, on page vi.

ADOT PROCESS M-6 Determining Whether Past Obstacles To TCMs Are Being Overcome and TCMs Are Given Funding Priority

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(6), which corresponds to Federal conformity regulation 40 CFR 51.402(c)(1)(iv).

A consultation process is required for the determination of whether past obstacles to implementation of transportation control measures which are behind schedule have been identified and are being overcome. Also, a determination is required whether State and local agencies with influence over approvals or funding for TCMs are giving maximum priority to approval or funding of TCMs. The determinations are part of the criteria for the project level conformity determinations and regional emissions analysis as specified in the state transportation conformity regulation.

ROLES AND RESPONSIBILITIES

ADOT, through the COGs, is responsible for leading consultation on the determination of obstacles concerning TCMs. ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

Consultation on this issue is conducted at the outset of the process to prepare a project level conformity determination as part of the regional emissions analysis. Related findings are included in the Regional Emissions Analysis document, which undergoes consultation in accordance with ADOT consultation process C-6.

PROCESS

For consultation purposes, ADOT assesses whether or not there have been past obstacles to TCM implementation. The consultation process described on page 4 is then conducted. A generalized flow chart depicting the major elements of ADOT Process M-6 is provided in Figure 5, on page vi.

ADOT PROCESS M-7**Determining Whether PM-10 Microscale Analysis is Required**

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(7), which corresponds to Federal conformity regulation 40 CFR 51.402(c)(1)(v).

Consultation is required for the identification of projects located at sites in the PM-10 nonattainment area which have vehicle and roadway emission and dispersion characteristics which are essentially identical to those at sites which have violations verified by monitoring, and therefore may be subject to requirements for quantitative PM-10 microscale analysis. The Federal and State conformity regulations indicate that PM-10 microscale analysis requirements "will not take effect until EPA releases modeling guidance on this subject and announces in the Federal Register that these requirements are in effect."

ROLES AND RESPONSIBILITIES

ADOT, through the COGs, is responsible for initiating consultation on this subject. ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

FREQUENCY

Consultation on this issue is conducted on a project level basis as part of the regional emissions analysis.

PROCESS

For consultation purposes, ADOT, through the COGs, assesses the identification of projects where PM-10 microscale analysis may be required. The consultation process described on page 4 is then conducted. A generalized flow chart depicting the major elements of ADOT Process M-7 is provided in Figure 5, on page vi.

ADOT PROCESS M-8 Adding and Deleting Exempt Projects From the Statewide Transportation Improvement Program

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(8), which corresponds to Federal conformity regulation 40 CFR 51.402(C)(1)(vi).

ROLES AND RESPONSIBILITIES

Consultation is required to provide notification of State Transportation Improvement Program (STIP) revisions or amendments which merely add or delete projects which are exempt from conformity criteria. The transportation plan, STIP, revisions thereto, and associated conformity determinations are prepared by ADOT. Accordingly, ADOT is responsible for providing notification of STIP amendments which merely delete or add exempt projects. ADOT provides for the participation of the transportation and air quality agencies. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

As needed.

PROCESS

Arizona Conformity Rule R18-2-1405(B) indicates that process M-8 is not required to include the five-element consultation process which applies to all other M-series, regarding consultation with all affected agencies and members of the public.

For consultation purposes, ADOT prepares a memorandum describing the proposed STIP amendment as requested by the project sponsor, and indicating why the project is exempt from conformity requirements. For federal project amendments the memorandum is provided to the consulted parties and the deadline for comments is established. The consultation process ends when a finalized version of the amendment is submitted to and approved by the FHWA and FTA.

Following approval of a STIP amendment, ADOT transmits a copy of the amendment to the consulted parties and as required and incorporates the amendment as part of the STIP. As required under Arizona Conformity Rule R18-2-1405K, which corresponds to federal regulation 40 CFR 51.402(c)(7), ADOT provides to each other consulted agency a notice of the approval action, indicating the availability of each final document that is the product of the consultation process. A generalized flow chart depicting the major elements of ADOT Process M-8 is provided in Figure 4, on page v.

ADOT PROCESS M-9 Conformity Determinations For Transportation Projects Which Are Federally Funded or Otherwise Require Federal Approval

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(M)(9).

ROLES AND RESPONSIBILITIES

Arizona Conformity Rule R18-2-1405(M)(9) requires consultation on project-level conformity determinations, and indicates that the consultation process shall be initiated by the recipient of the funds designated under Title 23 U.S.C. or the Federal Transit Act (i.e. the project sponsor).

ADOT will assist in project-level conformity determinations in nonattainment areas outside of an MPO by performing regional emissions analyses as appropriate. However, ADOT is not directly responsible for making all project level conformity determinations that may be required. The consultation process pursuant to this issue shall be initiated by the recipient of the funds. ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

As needed.

PROCESS

Consultation issues required to be addressed at the project level by implementing agencies are described in Arizona Conformity Rule R18-2-1405(P)(2). It is anticipated that these issues can be addressed by the implementing agency during the environmental analysis phase of the federal project processing sequence.

When an implementing agency consults with ADOT as part of this process, ADOT transmits a memorandum prepared by the implementing agency describing the proposed project and indicating why the project meets conformity requirements. The memorandum is provided to consulted parties (see Figure 2), and a deadline for comments is established.

The result of the process is reported to the Federal Highway Division Administrator and the Federal Transit Administrator, who, in coordination with the Environmental Protection Agency (EPA), make a determination whether or not the requirements of the EPA Transportation Conformity Rule have been met. A product of this action will be a regionally significant project.

A generalized flow chart depicting the major elements of ADOT process M-9 is provided in Figure 4, page v.

III. ADOT CONSULTATION PROCESSES REQUIRED UNDER R18-2-1405(N)

This section describes ADOT consultation processes which are required under Arizona Conformity Rule R18-2-1405(N). The consultation processes address conformity related technical issues for which consultation with federal agencies is not required.

One of the issues identified for consultation in Subsection N, specifically N-3, applies directly to ADOT. Process N-3 is required to be initiated by ADOT and will be developed by ADOT for use where applicable.

Additionally, Arizona conformity rule R18-2-1405(N)(5) is not addressed below since it is addressed earlier under ADOT consultation process M-2. ADOT has developed the following consultation processes in response to the requirements of R18-2-1405(N):

- N-1 Evaluating events which trigger new conformity determinations
- N-2 Consulting on emissions analysis for transportation activities which cross the borders of MPOs or nonattainment areas.
- N-3 Consulting on conformity inside the nonattainment area but outside the MPO borders.
- N-4 Consulting on the design, schedule, and funding of research and data collection efforts and regional transportation model development.

In accordance with R18-2-1405(B), it is required that consultation processes in the N-series address certain elements, which may be conducted at separate times or combination. The consultation process described on page 4 will be applied.

ADOT PROCESS N-1. Evaluating Events Which Trigger New Conformity Determinations

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(N)(1), which corresponds to Federal conformity regulation 40 CFR 51.402(c)(2)(i).

ROLES AND RESPONSIBILITIES

Under EPA regulations, consultation is required to evaluate events which will trigger new conformity determinations. The Arizona Conformity Rule has modified the federal requirement to add the phrase, "and including any changes in planning assumptions that may trigger a new conformity determination."

The Arizona Conformity Rules specify that the Arizona Department of Transportation (ADOT) is responsible for leading consultation on this issue. In this process, ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3. In accordance with the specific requirements of R18-2-1405(N), consultation with federal agencies (i.e. U.S. Environmental Protection Agency, Federal Highway Administration and Federal Transit Administration) is not required nor anticipated for ADOT Process N-1.

FREQUENCY

Consultation is conducted on an as needed basis. The process is initiated by any agency listed in Figure 2 through notification to ADOT identifying a recent or upcoming event which may justify a new conformity determination.

PROCESS

On a project-level basis and through the consultation process, ADOT will evaluate events that could require a new conformity determination. Events such as receipt of major unanticipated new funding for additional projects could cause the current conformity determination to become obsolete and require a new determination on a schedule that is commensurate with the magnitude of the event.

For consultation, ADOT will prepare a memorandum describing the identified event and assessing whether or not the event warrants a new conformity determination. This memorandum will undergo the consultation process described on page 4. A generalized flow chart depicting the major elements of ADOT Process N-1 is provided in Figure 5, on page vi.

ADOT PROCESS N-2 Emissions Analysis for Transportation Activities Which Borders of MPOs or Nonattainment Areas

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(N)(2), which corresponds to Federal conformity regulation, 40 CFR 51.402(c)(2)(ii).

ROLES AND RESPONSIBILITIES

ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3. In accordance with the specific requirements of R18-2-1405(N), consultation with federal agencies (i.e. U.S. Environmental Protection Agency, Federal Highway Administration and Federal Transit Administration) is not required nor anticipated for ADOT Process N-2.

FREQUENCY

Consultation is conducted on an as needed basis, in response to a formal request initiated by the agency which has the authority to approve the transportation project in question.

PROCESS

Arizona conformity rule R18-2-1405(B) indicates that process N-2 is not required to include all consultation elements which apply to the other N-series processes, regarding consultation with all affected agencies and members of the public.

Most transportation activities that cross the boundaries listed above are accounted for by various traffic data collection activities, railway and air traffic estimates. ADOT, through the COGs, provides for continuing consultation with the local agencies that generally spotlight changes in these "boundary" conditions as major events occur (e.g. North American Free Trade Association, airport facility expansion, railway service changes, etc.). As new programs are implemented, the affected agencies analyze the impacts on previous assumptions.

A generalized flow chart depicting the major elements of ADOT Process M-9 is provided in Figure 4, on page v.

ADOT PROCESS N-3 Consulting on Conformity Inside the Nonattainment Area But Outside the MPO Boundary

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(N)(3), which corresponds to Federal conformity regulation 40 CFR 5 1.402(c)(3).

ROLES AND RESPONSIBILITIES

The Arizona Conformity Rules specify that ADOT shall initiate a consultation process involving the MPO for cooperative planning and analysis for purposes of determining conformity of all projects outside the metropolitan planning area and within the nonattainment or maintenance area.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation for nonattainment areas outside of an MPO is detailed in Figure 3. For the purposes of this consultation process and where applicable, the Director of the MPO or an appointed representative would be included in the consultation process.

FREQUENCY

This consultation process would be conducted on an as needed basis.

PROCESS

Arizona Conformity Rule R18-2-1405(N)(3) indicates that the public involvement process described in subsection (P) of the same section is not required for the purposes of this process.

For MPO areas that are smaller than the designated nonattainment boundaries for that region, ADOT will initiate consultation with the MPO and the affected agencies to identify any projects outside of the metropolitan planning area but within the nonattainment or maintenance area. Where applicable, the MPO would be a part of the process shown in the generalized flow chart in Figure 5, on page vi.

ADOT PROCESS N-4**Design, Schedule, and Funding of Research and Data Collection Efforts and Regional Transportation Model Development**

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(N)(4), which corresponds to Federal conformity regulation CFR 5 1.402 (c)(6).

ROLES AND RESPONSIBILITIES

The Arizona Conformity Rules specify that ADOT initiate a consultation process for the design, schedule, and funding of research and data collection efforts and regional transportation model development. In this consultation process, ADOT, through the COGs, provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3.

FREQUENCY

As applicable. ADOT, through the COGs, will identify areas for study.

PROCESS

For consultation purposes ADOT, through the COGs, identifies and assesses an area for study based on air quality considerations and any previous small area transportation studies, possible update of an existent transportation model for the area, and existing and future conditions and projections. Following project approval and funding, the consultation process is completed at all levels of the study. A generalized flow chart depicting the major elements of ADOT Process N-4 is provided in Figure 5, on page vi.

IV. ADOT CONSULTATION PROCESSES REQUIRED UNDER R18-2-1405(O)

This section describes ADOT consultation processes which are required under Arizona Conformity Rule R-18-2-1405(O). These processes focus on **nonfederal** transportation projects which are planned or being considered for approval by any agency which is a recipient of funds designated under Title 23 United States Code (i.e. federal highway funds) or the Federal Transit Act.

For reference, Arizona Conformity Rule R18-2-1401(35) provides the following definition:

"Recipient of funds designated under Title 23 U.S.C. or the Federal Transit Act" means any agency at any level of state, county, or city government, including any political subdivision or MPO, that routinely receives Title 23 U.S.C. or Federal Transit Act funds to construct FHWA or FTA projects, operate FHWA or FTA projects or equipment, purchase equipment, or undertake other services or operations via contracts or agreements. This definition does not include private landowners or developers, or contractors or entities that are only paid for services or products created by their own employees.

ADOT has developed the following consultation process in response to the requirements of R18-2- 1405(O):

- O-1 Disclosure of possible regional significant transportation projects by agencies receiving federal highway or transit funds.
- O-2 Development of procedures regarding required information and timeframes for approval of nonfederal projects by agencies which are recipients of federal highway or transit funds.

ADOT PROCESS O-1 Disclosure of Possible Regionally Significant Transportation Projects by Agencies Receiving Federal Highway or Transit Funds (Reviewing Changes in Design and Scope)

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(O)(1), which corresponds to Federal conformity regulation 40 CFR 51.402(c)(4).

Roles and Responsibilities

Federal conformity regulations require agencies which receive federal highway or transit funds to disclose as soon as practicable to ADOT known plans for all regionally significant projects which are not funded by FHWA or FTA. The requirement also applies to project changes and to projects which have completed the NEPA process sufficiently to determine assumptions for project design concept and scope.

ADOT is responsible for initiating and assuring the adequacy of the consultation on the disclosure of regionally significant projects by agencies who receive federal highway or transit funds. The Council of Government (e.g., COG) that represents each specific nonattainment area shall provide for the participation of the local and regional transportation agencies, air quality agencies, and the public. The list of consulted agencies is provided in Figure 2, on page iv.

FREQUENCY

Consultation on newly disclosed regionally significant nonfederal projects is accomplished in accordance with the time frames established in the adopted ADOT Transportation Conformity Guidance and Procedures. Local agencies are required to make the disclosures to ADOT throughout the year as they receive the project information.

PROCESS

In accordance with the adopted ADOT Transportation Conformity Guidance and Procedures, ADOT will receive individual proposed project information from local and regional governments known as the "Recipient", in nonattainment areas for the purpose of consultation for conformity.

If, through the consultation process the project is designated as regionally significant, the recipient will initiate the conformity determination process.

If, through the consultation process, the project is designated as exempt or not regionally significant, the recipient will so notify the proposer within two weeks after all required information has been received by the recipient. A generalized flow chart depicting the major elements of ADOT Process O-1 is depicted in Figure 5, on page vi.

ADOT PROCESS O-2 Development of Procedures Regarding Required Information and Timeframes for Approval of Nonfederal Projects by Agencies Which Are Recipients of Federal Highway or Transit Funds

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(O)(2).

ROLES AND RESPONSIBILITIES

Arizona Conformity Rule R18-2-1429(D) requires ADOT to develop procedures to be used by recipients of federal highway or transit funds in meeting conformity requirements for nonfederal projects. The rule allows for the procedures to be updated periodically, as may be needed.

ADOT is responsible for initiating consultation on the conformity guidance. In the consultation process, the COG that represents each specific nonattainment area shall provide for the participation of the local and regional transportation agencies, air quality agencies, and the public.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3. In accordance with the specific requirements of R18-2-1405(O)(2), consultation with federal agencies (i.e. U.S. Environmental Protection Agency, Federal Highway Administration and Federal Transit Administration) is not required nor anticipated for ADOT Process O-2.

FREQUENCY

The Arizona Conformity Rules indicate that "These procedures may be updated periodically, as needed, using the same consultation process." Generally, these procedures will be revisited on an annual basis.

PROCESS

For consultation purposes, ADOT prepares a memorandum detailing the procedures required to be used by recipients of federal highway or transit funds. This memo highlights any changes which may be currently proposed for consideration. This memorandum would undergo the consultation process described on page 4. A generalized flow chart depicting the major elements of ADOT Process O-2 is provided in Figure 5, on page vi.

V. ADOT CONSULTATION PROCESSES REQUIRED UNDER R18-2-1405(R)

This section describes ADOT consultation processes which are required under Arizona Conformity Rule R18-2-1405(R). These processes focus on materials produced by ADOT after consultation with the Arizona Department of Environmental Quality, county air pollution control agencies where one exists, local and regional transportation agencies, and the public. These materials were developed to assist local governments in the identification of transportation projects which will be considered regionally significant for conformity purposes

Requirement R-1 of the Arizona Conformity Rule required development of a map and guidance regarding regional significance of transportation projects for each nonattainment area outside of the Metropolitan Planning Organizations. The required maps and guidance were completed through the consultation process. The ADOT consultation process provides for consultation on these materials when they are considered for possible revision in the future.

ADOT initiated the required consultation processes through each COG, in response to the requirements of (R)18-2-1405 and will continually assure the adequacy of the consultation process through review and identification of opportunities for improvement.

ADOT has developed the following consultation processes in response to the requirements of R18-2-1405(R):

- R-2 Development of map and guidance regarding regionally significant transportation projects.

- R-3 Proposed list of transportation projects to be considered regionally significant.

Detailed descriptions of the processes listed above are provided in the pages which follow.

ADOT PROCESS R-2 Development of Map and Guidance Regarding Regionally Significant Transportation Projects

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(R)(2).

ROLES AND RESPONSIBILITIES

Arizona Conformity Rule R18-2-1405(R)(1) requires ADOT to develop a map and guidance to be used by recipients of federal highway or transit funds in nonattainment areas outside the MPO, in determining whether or not a proposed transportation project is considered to be regionally significant. The maps and guidance were completed through the consultation process.

Arizona Conformity Rule R18-2-1405(R)(2) requires that the map and guidance be updated annually or revised as necessary to reflect any changes.

ADOT is responsible for initiating consultation on the periodic update of the map and procedures. In the consultation process, the COG that represents each specific nonattainment area shall provide for the participation of the local and regional transportation agencies, air quality agencies, and the public.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3. In accordance with the specific requirements of R18-2-1405(R)(2), consultation with federal agencies (i.e., U.S. Environmental Protection Agency, Federal Highway Administration, and Federal Transit Administration) is not required nor anticipated for the ADOT process.

FREQUENCY

The Arizona Conformity Rules require that the map " shall be updated annually, unless no changes have occurred," and that the guidance " shall be revised as necessary to reflect changes in the regional transportation model."

PROCESS

For consultation purposes when updating the map, ADOT will prepare a memorandum addressing the types of facilities which serve regional transportation needs. This memorandum will be distributed to the COGs and will then undergo consultation as shown by the generalized flow chart provided in Figure 5, on page vi.

ADOT PROCESS R-3 Proposed List of Transportation Projects to be Considered Regionally Significant

This consultation process is provided in response to Arizona Conformity Rule R18-2-1405(R)(3).

ROLES AND RESPONSIBILITIES

Under the Arizona Conformity Rules, ADOT is required to develop and initiate a consultation process as described in subsection H of the consultation requirements, for a list of transportation projects to be considered regionally significant, and the list is required to include information supporting the proposed designation. The ADOT process provides for the participation of the transportation and air quality agencies, as well as the public. The list of consulted agencies is provided in Figure 2.

The ADOT designation of projects as either regionally significant or not regionally significant is considered advisory to the sponsoring agencies of the projects. The Arizona Conformity Rules require the project sponsor that is a recipient of federal highway or transit funds to determine whether or not the project is regionally significant.

ORGANIZATIONAL LEVEL OF REGULAR CONSULTATION

The organizational level for regular consultation is detailed in Figure 3. The Arizona Conformity Rules require this process to include federal agencies (EPA, FHWA, and FTA).

FREQUENCY

This consultation process is conducted annually or as needed.

PROCESS

The **ADOT Transportation Guidance and Procedures** that were developed and approved in 1995 through the consultation process, contained maps of regionally significant routes in the PM-10 nonattainment areas. Projects that were considered regionally significant were also identified with information supporting the proposed classification. On an annual or as needed basis, through the consultation process, the listings of proposed transportation projects to be considered regionally significant will be updated. This consultation process is described on Page 4 and a generalized flow chart depicting the major elements of ADOT Process R-3 is provided in Figure 5, on page vi.